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His Maiesties DECLARATION

To all His loving Subjects,

IN ANSWER

TO A DECLARATION

of the LORDS and COMMONS

upon the proceedings of the late

TREATY OF PEACE, AND

severall Intercepted Letters of

His MAIESTY to the QUEENE,

and of PRINCE RUPERT to the

Earl *of Northampton.*

OXFORD, 3. *June* 1643.

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HIS MAJESTIES DECLARATION TO

All His loving Subjects, in Answer to a *Declaration* of the *Lords* and *Commons*, upon the proceedings of the late Treaty of Peace, &c.

THough His Majesty be assured, it cannot but be of great Advantage to Him, to have such an Occasion as is now given him by the late Declaration of both Houses, to shew to all His good People who it is that is really in fault, that the last Treaty so much desired by His Majesty, and onely begun upon his Desire, broke off so abruptly (as He doubts not to do, if those, who govern in the remaining part of both Houses, have but so much Ingenuity left, as to suffer what he sayes to be equally freely publisht to His People;) yet His Majesty cannot without great grief of Soule see that Treaty, which He hoped and expected should have begot the setled Peace and Happinesse of His Subjects, instead thereof beget nothing but Disputes and Declarations: But it will be some Cordiall to Him, when He shall be forced to see the Desolation of this Kingdom, and the Misery of His

People, That not onely it is not He that hath made that Desolate and them Miserable, but that He is able to demonstrate to all the World, That He hath used His utmost and most earnest endeavours to prevent it, as will appear at large by the following state of the Case.

After that the Conspiracy of some Persons, against the present establisht Government both Ecclesiasticall and Civill, had made means to infuse into part of the People (by publishing unheard of Declarations, obtained and past in a new and unheard of manner, sometimes but by Eleven voyces after Seventeen Houres sitting, and that but in one House) strange Fears and Jealousies of the other House, and of His Majesty, and by them given the Rise to those insufferable Tumults, and seditious unparliamentary Petitions at once to and against the Lords, which they afterwards avowed publikely to protect and encourage, and forced the Lords House, by fearing them, to seem to fear with them, and to joyn with them first in requiring, and next in forcing no lesse security for those Fears from His Majesty (who was then in condition to have most reall Cause of Fear Himself) then almost all that power which the Law had trusted to Him for the security of the Crown, and the Protection of His People; After that His Majesty and most of the Members were forced away from the Parliament, and that His share in making new Laws, was denyed to Him in any case in which they would pretend necessity, and every Subject that would not submit to any new extravagant, extemporary, legislative Declaration, or Order of one or both Houses against the Ancient known Law of the Land, was become, sent for up, and imprisoned as a Delinquent, and whosoever would assist them against the known Law, was not onely protected by them in that, but in any other Case (although they were of them who had been most apparantly

parantly active in those former Pressures upon the People, which they now a fresh impute to His Majesty) so that to be of their side was now become a known Sanctuary; After that nothing was left undone or unsaid, that might render His Majesty both weak and odious, and that all that He could say or do, to cleer Himself, was either suppress or interpreted in a contrary and impossible sense (so that His very offer to venture His Royall Person against the Irish Rebells was voted to be an encouragement to that Rebellion;) After that from declaring of Law, they came to declaring of Thoughts, and forgetting that The Hearts of Kings are inscrutable, presumed to dive into His, and without Apparance, and contrary to Truth had declared, That He meant to make Warre upon His Parliament, and made that Declaration a ground to levy a reall Warre against Him, and then made that Warre a Ground to begin to make Warre upon His People, forcing away the Arms and Money of all such as they pleased to suspect of the Crimes of Allegiance and Loyalty; After that they had so farre exprest and discovered the true end of all these Actions, as to propose the totall Change of the present Government, both Ecclesiasticall and Civill in the nineteen Propositions, as the onely way to Peace, and that His Majestie might by all this have been sufficiently perswaded, That it was impossible for Him to obtain a Peace from them but either by submission, or by the Sword; yet after all this His Majesty was so averse to the latter Course as to descend to so great a Degree of the former, as from Nottingham to propose to, and desire from them a Treaty for Peace, and being there twice openly and absolutely refused it, did yet then declare, That He would notwithstanding be ready to receive it whensoever they would propose it. And to shew, that these Offers proceeded not from His Condition

but His Inclination, after His Victory at Edgehill, and after that the Earl of Essex had so farre forgot his Errand, as to return to London alone, instead of bringing up His Majesty, and those His good Subjects, whom they called Delinquents, His Answer at Colebrook will shew to all the World, That He was still of the same minde, as when He sent His Messages from Nottingham, and His Message so carefully sent from Colebrook to prevent all misconstruction of that March of His, which they had necessitated to Braunceford, and His pressing still that a Treaty might go on in that and severall other Messages, all sleighted and neglected, shewed sufficiently who really was desirous of, and who were averse to Peace. But when the Petition of so many Citizens, That a Treaty might be accepted, finding so little countenance or acceptance from the House of Commons, and the Injuries and Imprisonments which the Petitioners suffered for it, from Alderman Pennington and others, finding so much countenance from them, did so farre begin to open the Eyes of the People, That the Aversion to Peace began to be imputed to them who were truly guilty, and that they found this Discovery, made men generally unwilling to part with their Money to make themselves miserable, and that again encouraged many of the Members to appear for Peace too, and that consequently their too open and avowed Desire of Warre, would but render them unable to continue it, they thought it necessary to make some Propositions which might deceive the People so farre, as to make them beleeve they desired Peace, and yet resolved to make them so unreasonable, as they might notwithstanding be sure to be out of all Danger of effecting Peace by them, and sent those down to His Majesty. Which though they pretend now to be such as no indifferent man will finde any thing contained in them but what

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was necessary for the maintenance and advancement of the true Protestant Religion, the due execution of Justice, the Preservation of the Liberty and Property of the Subject, and the establishment of the Kingdoms Peace and Safety; yet His Majesty is confident that even those who are not very indifferent are yet able to see, that no Propositions could be more unreasonable then those fourteen, except the former Nineteen.

To passe by the Preamble, (in which most unnecessarily they lay most heavy and most unjust charges upon His Majesty, and yet draw an Argument of his Aversion to Peace, from those known Truths, which either His Defence or the matter in Question, Crimes being impossible to be spoken of but as Crimes, did after extort from Him) would not any man have expected, that had observed with what violence this Warre was begun, and prosecuted against His Majesty, to have found in the Propositions for Peace the Demand of at least some, and those very important Rights, which were withheld from them before the Warre, and so had given some colour for it? But of these there appears not so much as one, and yet till all these are granted and performed, they do as much as say in Terms plain enough in their Conclusion, That they have not any Hope, nor will use any endeavours that His Majesty and His People may enjoy the Blessings of Peace and Justice; which was certainly by terror of Arms to demand new Laws, and as great a Proof that they did so, as they seem to confesse it unparliamentary if they had done it. Is not the taking away of Bishops, Deans and Chapters, and indeed the whole establisht Ecclesiasticall frame of Order and Government, a new Law? yet unlesse His Majesty will yeeld to take it away (though there were but five Lords present when the Bill past, and though no other forme be yet offered

fered or shewed to Him, but the Presbyterians and Independants are left to fight it out among themselves, what shall succeed in the place) His Majesty is told, He must not hope for Peace. And the Division likely to ensue between different parties, what shall after be introduced, shewes sufficiently what Hope there would be of Peace, if He should passe it.

Are not the Bill against scandalous Ministers (in which most of their own Faction are appointed Commissioners, that they may make way for, and introduce a new Clergy of their own;) The Bill against Pluralities (which makes no Difference of Conditions, or merits of Persons, or of value of Livings, and looks not onely forwards, but extends to the immediate dispossessing of present Incumbents of what is vested in them for their Lives by the Law of the Land;) The Bill for a Consultation of Divines (Persons of their own Choice, and most of them of their Faction, and of no esteem but with themselves, hardly at all bounded as to the matter, & absolutely unlimited as to the time of their Consultation,) all new Laws? Is not the setling of the Militia both by Sea and Land, and the Forts and Ports, in such a manner as shall be agreed on by both Houses (in which His Majesty is expected with a blinde implicite Faith, to trust them with the whole Power of the Kingdom, and with His onely means of defending Himself, and protecting His Subjects, though into what hands, or for what time, or in what manner they will order or dispose of it, is so farre from appearing to Him, that it doth not yet appeare that both Houses know themselves, and how they have already used that Power is known to all the World both a new and a strange Demand? Are the Earl of Bristolls Removall and Exclusion from all possibility of Imployment, (a Person uncondemned, unimpeacht and unsummon'd

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no Crime or Error either proved or but named against Him,) or the Choice of the Judges and Master of the Rolls, the Change of Commissioners of the Peace, and Oyer and Terminer, or the restoring of Members of the Houses, even to such meniall Places of Service, as required a personall attendance, and who had yet refused to attend upon Command; Or the assenting to whatsoever Acts He shall be advised for paying of Debts contracted upon the publike Faith, that is, by the Authority of both Houses, (by which His Majesty must allow Himself to be no part of the publike, and must directly allow, and as it were ratifie that Rebellion, which this Money was raised to foment) either due to them by Law or reasonable in themselves?

Doth the directing His Majesty with whom and how farre to make Alliances belong to them? (or was that at all necessary, His Inclination to the strictest bands with Princes and States of the Protestant Religion being by the Match of His Daughter sufficiently expressed?) And yet till all this be done, and unlesse He will pardon all that have born Arms against Him, and leave those that have assisted Him to their Mercy, who have none, they will not promise any hopefull endeavours for Peace and Justice. But is there any thing else that is due by Law, which was before denyed, and is here demanded, that can in any degree justifie or extenuate that ever Peace was broken and Justice destroyed? Not so much as one Tittle. Did His Majesty give any Commission till they had Mustered many men? Or did he so much as take any Guard to Him, till both they had had a much greater many Moneths, and had of their own Authority ordered a Sergeant Major Generall of their City Forces, and till his Magazine and Town were by Arms kept against Him, though He were provoked to it before by all the other In-

dignities and Injuries, which Insolence and Injustice could devise? Was not Sir John Hotham, for all his known Treason, refused to be left by them to Justice and the Tryall of the Law, before ever any that was but called a Delinquent was protected by His Majesty? And was not His Majesty then denyed that, which themselves confesse to be the Due, and Right of the meanest Subject, and do so far expect, as to look upon it rather as a scorn then a satisfaction, now His Majesty offers it to them? Was any one Papist Armed by His Majesty before many of that Religion (and multitudes of Persons against whose Recusancy the Law is as severe as against theirs) were Armed against Him? Or then either, until their meer being of that Religion made them, without Colour of Law, be Plundered and Imprisoned in all parts, and some of them flye into His Army for Protection? Did not His Majesty before of Himself often offer to vindicate the Priviledges of Parliament from any imaginable Breach of them in the businesse of the Lord Kimbolton and five Members? And did He not offer to wave their Charge, willingly submitting it to the publike Peace? So that the obtaining that Demand, or the Disbanding of the Army, or the Disarming of Papists, or the Tryall of Delinquents, though they make some such shew, as they are set in this place, yet not any of them were any grounds of this their Warre; And all that is due in these Demands having been offered before the Warre, or occasioned or necessitated by it, and being still to be had without it, the whole People cannot but see, that nothing but Fears and Jealousies have been the fumes, with which they have so intoxicated His seduced Subjects, as to contribute to their own misery to obtain no one Right, how small and inconsiderable soever, denyed to them by His Majesty, and that the maintenance

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and advancement of Religion, Justice, Liberty, Property and Peace, are really but their Stalking-Horses, and neither the Ground of their Warre, nor of these Demands; which will appear to any indifferent man that shall duly weigh them, as farre from being moderate as from being necessary.

Yet such was His Majesties most earnest desire to catch at any thing that by producing a Treaty might settle a Peace, and so far were any such enemies of it (as are supposed by this Declaration) from being prevalent with Him against this desire, That His Majesty proposed that Persons should be appointed by His Majesty and both Houses to Treat even upon these very Propositions, and such other as His Majesty proposed, which were onely Demands according to, or in behalf of the Law established, and which more concerned His Subjects then Himself: And His Majesty cannot but appeale to all the World, whether not onely any of their Propositions did, but whether any other Propositions that could be devised could expresse more desire of the Maintenance and Advancement of the true Protestant Religion then His Majesties fourth Proposition, (in which His Readinesse to consent to the execution of all Laws made, and to any good Laws to be made for the suppressing of Popery, His Desire that the Laws already made to preserve the Common-Prayer from the Scorn and Violence of Sectaries be backt and fortified, and His Offer at the same time that tender Consciences be eased by it, are so cleerly and carefully expresst and united;) Or of the due execution of Justice then His Majesties fifth Proposition, (which referres all such Delinquents as should by the Treaters be excepted in the Pardon, to the usuall Course and known Law of the Land;) Or of the Preservation of the publike liberty and property, (for His Majesty con-

ceives that He hath a property too, without maintaining of which he will never be able to defend His Subjects) then his first, second and third; Or of the Peace of the Kingdom, then His first Proposition, which by restoring His Subjects by a Cessation to a short Tryall of the quiet and benefit of Peace, would have rendred them so farre in Love with that almost forgotten Happinesse, that seeing nothing demanded by them that was worth a warre, they would have had a hard work to have engaged them again into so unprofitable a madnesse. And His Majesty is so confident of His Advantage in all these, that He conjures His Subjects seriously to reade, consider and compare what He and what they demanded, and by their different Propositions to judge of their severall Intentions.

And indeed, the violent Party both in the City and the Houses (which for all the publike fears and Jealousies they pretend, inwardly and really are fearfull and Jealous of nothing so much as of Peace) dislike nothing more in His Majesties Propositions then the Moderation, and suspecting that the reasonablenesse and unreasonablenesse of what His Majesty and what they aske, would but too generally appear by the Discussion of both in a free and open Treaty, and so might in despight of them produce a Peace, earnestly and openly oppose the Treaty, and so farre oppose His Majesties Proposition of Cessation, that it sufficiently appeared by their aversion to the shadow of Peace (as themselves call it) how much and how heartily they were averse to the substance it self. But when they found that they could perswade no man to joyn with them in rejecting all imaginable manners of Treaty and Cessation, that did not joyn with them in abhorring any imaginable manner of Peace, they reserved their Authority to enable them to break off both, upon some somewhat more plausible difference in the Circumstances

cumſtances and Conditions. A ſafe Conduct is demanded by the Houſes, and their firſt Art is to get the Lord Say named in that Demand for a Treator, which they know certainly (he having born Arms againſt His Majeſty, and been excepted in one of His Proclamations of Pardon) His Majeſty muſt except againſt, but when they could not perſwade even both Houſes (who well remembred an example of no elder date then ſince His Majeſty was at Colebrook, when the ſame exception at the Perſon of Sir John Evelin was made by His Majeſty, and not excepted at by the Houſes) that this exception was ſo unparalleld a Breach of Priviledge, as to deſerve to hinder the Treaty from going on: their next Arts are ſo to bound and limit their Committee both in the Manner, Matter, Time, and Power, as might wholly render it uneffectuall; And, to that end, they firſt obtain that their Committee ſhould Treat with none but with His Majeſty, (a Courſe which how lofty, how advantagious, and how unreaſonable ſoever, yet His Majeſty out of His earneſt deſire of Peace, contrary to their hopes and expectations, was contented to admit) and next obtain that they ſhould not Treat upon any Poynt but of the Ceſſation, till that were concluded, and for that allowed but four dayes, and that at twice, (in hope that ſome matter of Advantage might happen in the time of that delay) and allow them no Power (without ſtill ſending to the Houſes upon every occaſion) to conclude further then the Papers they brought down or delivered, or ſo much as to explain or new word any thing in them, (a new and a ſtrange way of Treating, and by which at that diſtance it was wholly and plainly impoſſible that any thing ſhould be concluded;) and when His Majeſty had quitted all wherein Himſelf or His Army were ſolely concerned, and yeelded almoſt to all that they propoſed, and at laſt inſiſted upon

nothing, but that they might not make use of the Leisure of their Army occasioned by this Cessation, to force what Sums they would, from what Countreys they pleased, (for they neither would nor could name any other bound of their taxes then their pleasure, when they imputed that Assertion to His Majesty) and so extreamly burthen His Subjects, and advantage and enable themselves against His Majesty, (in contradiction to the Principle laid down by themselves and approved of by His Majesty, That by the very nature of a Cessation matters should be preserved in the state they are, and neither party have Liberty much to advantage himself,) nor yet insisted any further upon that neither then to leave a Room still for satisfaction (if any Reason could be offered against so reasonable a Limitation) by a continuance of the Treaty concerning it, They vouchsafed Him no Offer of any such Reason, nor allowed their Committee any further time or Power to Treat concerning it, without expressing any better cause for so abrupt an end of so important a debate, then to avoyd the Waste of Time; though His Majesty could not conceive that could be call'd a Waste, or how time could be better spent, then to settle such a degree of publike Peace, as might reduce the minds of all men to such a Temper, as might make a full Peace much more probable.

Nor did His Majesty finde in the Treaty it self, that the Committee were any better enabled, though (to avoyd delay, and that a Conclusion might be made possible) His Majesty often desired it; They were limited twice to foure dayes, and once to seven; They were bounded to two Propositions, and to their bare narrow Instructions concerning those; nor had they so much as any Power or Instructions at all concerning that most important part of their own Proposition so often prest by them-

themselves, His Majesties return to His Parliament; so that resolving (as it will be after shewed they did) to yeeld no further to His Majesties Proposition then with such Limitations, as would in effect retain what they seemed to give up, they expect that His Majesty should entirely yeeld to theirs without any Limitation, and (to invert their own Words upon another occasion) should yeeld to that, which would have produced to them an absolute Victory & Submission, under pretence of Agreement and Peace; It being evident to all men, That His Rights forc'd from him by violence being not absolutely restored, His Army being Disbanded, and He returned to London, the Members of both Houses for dissenting from them, and assisting of Him remaining expelled, no security from Tumults for the rest of the Members being given, and all good Subjects being totally discouraged by so absolute a Prevalence of the Factious and Rebellious, His Majesty were as much in the disposall of the five Members, as if they had Him in the Tower, and He ought His Crown wholly to their Grace and Favour, if they did not depose Him. And yet they would be thought to desire nothing in desiring that the Armies should be upon these Terms Disbanded, but onely that the Kingdom might be eas'd of their burthen, and the spring of these Calamities might be stopped.

His Majesty demands, That His own Revenue, Magazine, Towns, Forts and Ships, taken by Force be restored to Him. The Revenue (which they could easily pay back out of other mens Purses) they easily agree about, but to part with such strengths which had and did help to enable them to leave no Subject any more of his Right then they had to the detaining of these, they can by no means endure. And therefore they propose such Limitations, as in effect limit away all, and yet may

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seem to the vulgar or to the careleſſe not to ſignifie much, to wit, That theſe ſtrengths may be put into ſuch hands as they will confide in, and that for no leſſe then three yeers; That the Commanders may, during that time, not admit of any Forces, upon whatſoever occaſion without Conſent of the Houſes, and they and all Generalls and Commanders of the Armies on either ſide, may ſwear to preſerve the Peace of the Kingdom againſt all Forces raiſed without conſent of both Houſes, and this for no limited time. His Majeſty, who had askt nothing but what was His by Law, and who in order to Peace had not askt ſo much as by Law was due to Him, (to wit, the Punishment of thoſe who had taken theſe things from Him) could not but wonder to ſee ſuch things askt of Him, to which by Law there was no Pretence; He therefore endeavours to limit their Limitations to the Law of the Land; He names thoſe Perſons to this Cuſtody, whom the Law had named firſt, and expreſt Himſelf moſt willing that they ſhould be put out at the ſame dooze they came in; That the Law, which had veſted them, might eject them, if they had offended againſt it, but expected not that the Injury done Him, of taking theſe things from Him and them contrary to Law, ſhould be a reaſon why any new Conditions or Limitations ſhould be laid upon Him or His Miniſters which the Law laid not. To this the Committee replies, not denying what the King askt to be legally His, or to have been illegally taken from Him, nor making any legall or ſo much as colourable, or at all any exceptions againſt the Perſons legally veſted in thoſe Places, (and without any Cauſe ſhewed, it would have ill become His Majeſty to have deveſted His Servants of their Rights in the inſtant when ſome of them are venturing their Lives for His Service) but retire to their old inacceſſible Fort of Fears and Jealouſies.

sies. To this His Majesty rejoyns, shewes what He had done to prevent and destroy Fears and Jealousies in them, intimates what they had done to create Fears and Jealousies in Him, That having by force taken these things from Him when He had them, He had more Reason to have insisted upon further Security to enable Him to keep them, then simply to desire them to be returned to Him, (and much more then to grant them more hold of them to enable them the better to wrest them from Him again) represents to them, that by the same Reason upon the same Ground they may aske Him all his Legall Power, since all the Power vested in Princes for the necessary Protection of their Subjects may possibly be imployed for their hurt, and concludes in his Opinion with a very wholsom Advice against that dangerous (and now too Epidemicall) Disease of Fears and Jealousies, and prescribes to them to make the Law their Rule and Measure, as the best Antidote and Cure for that disease.

This insisting upon this Answer, as His Majesty for these Reasons thought to be most reasonable, so He likewise thought it most necessary; first, because themselves having told Him in the Debate about Cessation in the Point of Ships, That for them to allow Him the Approbation of Commanders was to give Him up the Strength, He could not want Logick so much as not to draw this Conclusion from these Premisses, That for Him to allow them the Approbation of the Commanders both of Magazines, Towns, Forts, and Ships, was in that to give all back to them, which they would seeme to restore to Him. Secondly, because His Majesty by now consenting upon the ground of Jealousies to such Demands as exceed Those, which (before they had joyned the Injustice of forcing these things from Him, to the unreasonablenesse of demanding them) His Majesty in his

weakeſt Condition denyed to them, He muſt appear to juſtifie thoſe Jealouſies, to approve of thoſe Demands and of that Injuſtice, and to condemn Himſelf as guilty of the woſull effects of that Contention, for not having ſooner conſented to them. Thirdly, becauſe He muſt condemn the Lords Houſe of the ſame Crime, for having twice refuſed to joyn in that Demand, and having had no Jealouſies as long as they had no Tumults. Fourthly, becauſe He muſt either quit, during the lives of theſe ſeverall Perſons required to be ſworn, and at leaſt for three yeers (when the Militia in their own Bill was aſk't but for two) His known Right of Sole raiſing men, and without the conſent of both Houſes (even although no Parliament were ſitting, for the Bill that ſayes it may continue does not ſay it muſt) He muſt neither be able to diſcharge his Duty to Himſelf by His own Defence, nor make good His Oath by the protecting of His Subjects againſt any ſuddain, dangerous Rebellion or Invaſion, or the Commanders of all His Ships, Towns, Forts and Magazines, and all the Commanders of both Armies (that is the moſt conſiderable Militia of England) muſt according to this new Oath oppoſe any oppoſition He ſhall make, and muſt be equally obliged by it to fight againſt his Forces, as againſt thoſe of the Rebells or Invaders. Fiftly, becauſe if He ſhould give them ſo great a Prerogative for ſo long a time as this ſhare in the choyce of men to places of ſo high Power and Truſt, the Dependance of Subjects upon the Crown would be much diverted, and He could never expect to be faithfully ſerved, when no other Crime of theirs appearing to Him, He ſhould ſo farre deveſt the preſent Proprietaries of their legall Right, as to ſubmit it anew to the Arbitrarineſſe of their Confiding, who have given His Majeſty no greater Cauſe to confide in their Choice. Sixtly and laſtly, becauſe

cause if He should allow them that Power for that time upon that Reason, He cannot doubt but against that time were ended, the Sweetnesse of Power being once tasted, they would be so unwilling to quit it, that the same powerfull violent Party would not want the like Fears to beget the like demands of the same or greater Interest in the Choice of the same or greater Places; and the same Consequences would not likewise faile to follow, if those Demands were not consented to, and even His good Subjects seeing it the most prosperous, might be induced to think Faction and Sedition the wisest Course; and when they saw His Majesty give such an Encouragement to Rebellion, might think it Pitty He should ever be without one. And His Majesty conceives Fear and Jealousie may be a good Reason to make Him cautious how He part with His Right, though a very insufficient Justification of their forcing that from Him, to which they could pretend none.

But still His Majesty hoped, That they onely insisted upon such Limitations of his Proposition, till they saw what Limitations He would offer to theirs, and therefore to reduce them to moderation by his Example, He proposes to the Houses (for the Committee had no Power or Instruction to Treat of the principall Point of it) no other Limitations then were both due by Law and necessary in themselves, and offers as soon as He was satisfied in his first Proposition, (to which if they would have put him in minde of any such objection in the Treaty, He would never have required that the exact Computation of his Revenue taken from Him should be agreed on before Disbanding, which is now objected to Him, not as an Injustice, but as a purposed Delay) as soon as the Houses were restored to that Condition in which they were before the Tumults, and these Distractions forced

the Members from thence, and as soon as He and those Houses were secured from Tumults, (onely adding His own Opinion, That adjourning Twenty miles from London could onely effect it, and offering them the Choice of any place at that distance in His whole Kingdom) He would immediately Disband and return to His Parliament; and expected much more that this Message when it was received at London, should have met with Bells and Bonefires, then have received neither Approbation nor Answer.

But that violent Party which looks upon Peace like a Monster, fearing left if the Treaty should any longer continue, so faire an Approach to Peace, might by degrees steale it on upon them before they were aware, prevaile to return no other Answer then immediately to send for their Committee from Oxford, and to send the Lord of Essex to Reading. His Majesty waits a while, and again in a Message, He had Occasion to send to the Houses concerning Ireland; He takes Occasion to put them in minde of that former Message, and to renew His Expressions of His Desire of Peace, but this Message had no better luck then the other, for no Answer hath been sent to it, onely instead of an Answer, the same violent Party makes a shift to goe a step or two higher, and to prevaile in the House of Commons, to Vote Excises upon Commodities, and the making of a new Great Seale, though the making it will be Treason by the Statute of 25. of Edward the Third, (and an Order of the House of Commons will be but an insufficient Plea against that Statute) And though they might have remembred that, it is by the old one that both most of them hold their Lands and all of them are call'd to that House. But since His Majesty would not allow them a share in making of Peers, (as they askt Him in their Nineteen Propositions)

tions) nor allow of their Choice of Justices of the Peace, (as they askt Him in their fourteen) and did still pretend to making of Sheriffes, (which they have denyed Him by their Votes) It seems they thought it necessary to make that, which (if it could be made legall by voting) would make all those, and to end the Dispute about His Majesties Negative Voice, by passing by Commission what new Bills they pleased, and so to obtain as absolutely an unlimited Power over their fellow Subjects, as over their Soveraign Himself.

Yet His Majesty would take no notice of all this, but sends once more a Third Message to desire an Answer to His First, (which had then lain in their hands above a Moneth) This Pressing for Peace appears so intolerable to them, that the House of Commons (as the best way to make a finall end of all such Messages, and indeed to cut off all Entercourse) is prevail'd with by these men to commit the Messenger, and the next day to impeach His Majesties Royall Consort of High Treason, as if they would give Him a fair Warning how He trouble them about Peace again, lest his Turn be next, and they impeach him too. But though they vouchsafe His Majesty no Answer, yet the People is still thought worthy of some Satisfaction, and that produces this Declaration, which pretends fully and sufficiently to shew, that in the Treaty their Demands were such and so moderate, as was fit and necessary for them to make, and just and reasonable for His Majesty to assent unto, and His Majesties were such as had neither Reason nor Justice, either in the matter or manner of them, and such as left the People no hope or expectation to see an end of their present Calamities, and charge the King through His Counsellors in many Circumstances, before it, and during it, to have laboured to interrupt the Treaty, and to

have appeared averse to Peace; and in this Question His Majesty is content to accept of the Arbitratour they themselves have chosen, and to referre it to the People to judge.

Their first Argument is, That this Treaty is for the Disbanding of the Armies and Forces in opposition to each other. That these Towns, Forts, and Ships, are a great part of their Forces, so that for them to restore them absolutely to the King, would be for them to Disband totally, and for his Majesties Forces to continue. To this His Majesty Answers, That this Treaty was intended by Him to be in order to a firm and setled (that is, a just) Peace, and never to be such wherein a pretended equality should exclude evident Justice. Let equality determine the manner of the Disbanding of the Armies raised upon these distractions, but let Justice restore what violence hath taken, and determine of known undoubted Rights; since by this Argument, if any Prince seize upon any strength that belongs to His stronger Neighbour, and Arms be taken up upon it, the stronger must never in a Treaty, when the Armies are to be Disbanded, expect to have his strength restored to him, lest the other return to be what He was, and what he ought to be, that is, the weaker of the two. Secondly, His Majesty Answers, That by the same reason of Security, other Power and Prerogatives being Strength as well as Forces, and neither more vested in Him, nor lesse possible to be used for the Peoples hurt, they may as well require a share and interest in those too, and that things may be made sufficiently equall between the sides, may expect to be as much Kings as He. Thirdly, in their own opinion and by their own confession, (as it appears by their Argument us'd in the Cessation in the point of Ships) If they be but allowed the Approbation of Commanders, His Majesty

jesty gives up this strength to them, and not they to Him, and it will be their Forces and not His which are to continue undisbanded, and That they say to be contrary to equality, and (as they came by these Forces) it is evident to be contrary to Justice. Fourthly, His Majesty Answers, That these Forces are not so great, or so great a strength of the side that shall possesse them, but that the Arts, Union, Industry and Violence of that Party was so much too strong for His Majesty when He had that strength, as to take that strength from Him, and therefore His Majesty wonders they should make any difficulty to restore, what it may appear by so fresh experience, that they are so able to resume; and therefore His Majesty hopes His People will attribute it to His great Desire of Peace, that He did not demand some further security, to enjoy that which is not denyed to be His Majesties. And His Majesty observes, that both this and the second Answer were given by His Majesty to the same Arguments made upon the same occasion by their Committee in the Treaty, and yet this Declaration repeats the same Arguments without replying to those Answers. Fiftly, His Majesty desires that the Difficulty with which His Majesty raised His Army, and the Ease with which they raised theirs may be considered; how impossible it would have been for Him to have raised Forces, if they had not raised first, and how much slowlier (this Army being Disbanded) He could raise a new one, and how quick and ready their Body of fierce, eager Sectaries and Schismaticks would be to return into an Army upon the least Call, and how conveniently they inhabite for so speedy a meeting, being to continue most of them in or so neer London, that their Quarters in Warre were usually much more distant then their dwellings in Peace; and then His Majesty doubts not but it will appear, that

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in this respect too the reall and totall Disbanding is of His Majesties part onely, and that in effect the Continuance of Forces is still of theirs.

Their Second Argument, Why His Majesty should admit of their Limitations, is a Bundle of Presidents. To which His Majesty replies, First, that the Records which are here quoted for these, are now in the same hands as His Majesties Magazines, Towns, Forts, and Ships, and therefore knows not how He can either have their Truth sufficiently considered and examined, or without it confide in their Quotations. Secondly, all the particular Circumstances both of matter and time, what induced it, and what followed it, doe not herein appear, (though very necessary to be known, that they may be possible to be answered.) But this His Majesty can finde upon view; That some of them concern not any part of what is now demanded, but one of them concerns a Chancellor, Treasurer, and Privy-Seale, and another concerns Privy-Councellors, and another the Protectorship, another the choice of some without whose Advice, or of four of them, nothing should be done by the King; (which it seems they have an eye upon demanding too, which made them run so much in their Heads, who collected these as to put them in here;) That some concern not the Persons now demanding, but conclude onely for the Merchants to chuse an Admirall, and not for the Houses to confide in him; Which President may be of some use to the Common-Councell, but of none to the Parliament; That some are of no Concern at all, as onely about appointing of Clerks for payment of Wages, (yet put in to increase the Bulk) that hardly any of the Presidents, that concern any of the things in Question, concern any more then part of those which are altogether demanded in the Limitations desired; some con-

concerning onely the Command of Ships, (and those too not granted by Act but by Commission, and that for ought appears, onely during pleasure;) some extending but to one Town or Place, as Berwick or Jersey; That most of these Presidents appear to have been when the Kings were in Minority and under Protectors; some when they were in extreme Age and Impotency; some in the Reign of a King who was shortly after deposed in Parliament too, (an unlikely Circumstance to invite His Majesty at this time to follow that example;) others in his Reign who succeeded him, and (having no Right to the Crown but the Criminall consent of both Houses) had reason to deny them nothing who had given him All. And of some of the Presidents now quoted, the Inconveniences are known to have been so great and so suddenly found, that they were so speedily revoked in Parliament (with no lesse a Brand then as being contrary to the Customs of the Realm, and to the blemishing of the Crown) that if they had ingenuously added those Circumstances, these Presidents would more have justified His Majesty for not yeelding, then them for either asking any thing towards those, or but for quoting them at all. But doth any of these Presidents tell us, that these Parliaments claimed any Right in any of these, or that any King yeelded any degree of Power in any one of these Points to both Houses, when they had first taken them from Him by force, and rais'd an Army by Ordinance against Him, and He was in a Condition to resist what they had raised? And if either any of these Kings were so much in their Power, that his Consent was as much forced from Him as these Particulars were forced from His Majesty, or if they were so farre out of Danger of any further Encroachments upon their Power, that He could have no cause of Fears and Jealousies in granting some of these to them,

nay, that their advice in the Choice arose wholly from His Majesties Desire and not their Demand, then the Presidents sit not to this Case, and so make nothing for their Purpose. But now that the perpetuity of this Parliament hath so farre encouraged those, who by Arts and Violence have gotten power over it, that they may probably hope to make this Power as perpetuall as it, and have given so sufficient Evidence, what further use they would make of any Power, His Majesty supposes Himself to have more reason to be cautious in that point then any of His Predecessors, who were content to share any part of this power but for once, with but a temporary Assembly; especially since their severall Propositions have shewed how much more they wish, and Mr. Prinnes Books (Printed by Order of a Committee of the House of Commons, signified by warrant under Mr. Whites hand) have shewed how much more they pretend to; and since any Grant of His is desired by these men but to enable them to obtain the rest of their pretences or desires, what He yeelded to them concerning my Lord of Essex and Sir John Conyers being Lieutenants of York-shire and the Tower, being prest in these very Presidents as an Argument to Him, why He should grant all they ask now. On the other side, if His Majesty should make use of their own kinde of Weapon, and do the same or as great things, or make them the like or as great demands, as their Predecessors have tacitely approved of, or directly assented to when they were done or made by his, (as in the just famous time of Queen Elizabeth, in the case of Stanhop and Savile, or in the same time in Wentworths Case, or in the Reign of Henry the Eight, in the power given to Him to dispose of the Kingdom by His will and Testament, and others of the like and neer as high kindes) He beleeves both Houses would think what others then did, to be no

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Argument to perſwade them either to approve or conſent, but would rather for ever wave all Arguments from Preſidents, then direct themſelves by the ſame Rule.

Their Third Argument is, That His Majeſty had formerly expreſt that His Forts and Caſtles ſhould be onely in ſuch Hands as both Houſes might ſafely confide in. And His Majeſty expreſſeth ſtill as much; and till ſome juſt legall cauſe be ſhewed Him why the Perſons now in thoſe Commands cannot be ſafely confided in by them, He conceives they might ſafely confide in them if they pleaſed. But His Majeſty did likewiſe once ſay, He would put all thoſe places, both of the Forts and Militia, into ſuch hands as both Houſes ſhould approve or recommend, unleſſe ſuch were named againſt whom He had juſt and unqueſtionable exceptions. To which His Majeſty replies, That His offer not giving them ſatisfaction then, (for they would then limit no time for the Militia, which was the Condition of that offer of His Majeſties) and ſince it ſeems it would give none yet, (for they now aske no leſſe for the Ships then for thoſe, and more for both, as to the Time and other Circumſtances, then He then offered for theſe) and they, by forcing thoſe Places from Him ſince, and ſome of the Perſons legally veſted in thoſe places, by their faithfulneſſe to Him in this warre, having given Him ſo much more cauſe not to yeeld to it now, He conceives the Caſe to be ſo altered by all theſe differences, that though, out of His earneſt deſire to ſatisfie them as long as He thought them capable of ſatisfaction by it, He then intended what He ſpoke, yet He may inſiſt upon what He now inſiſts, without being ſaid to have receded from His word. Did not they refuſe to accept of four Perſons named in His Majeſties Bill concerning the Militia, which themſelves had but newly offered Him in their Ordinance concerning it? And had thoſe Perſons in that time given

them so great cause for that refusall as His Majesty hath had given Him for this: And yet will they confesse that all Counsell prevail'd with them to recede from their words, and that therefore His Majesty had the more Cause to be further secured.

Their fourth Argument is, That unlesse these limitations be granted, those secret and wicked Counsellors, that have been Instruments of the present miseries, will have the disposing of those Places, and His Majesty carry but the Name. To this His Majesty replyes, That knowing who have been the Instruments of these miseries, He should by that beleeve the secret and wicked Counsellors spoken of to be the active part of the close Committee, for if He have any wicked Counsellors about Him, He confesseth they have cause to call them secret as well as wicked, since they have not onely wholly concealed themselves from Him, but He having often prest to have some named, could never obtain from them the name so much as of one, nor since hath heard so much as one Proof or Charge either of being wicked Counsellors, or of any Legall Crime against any of His Servants whom they have named, though they have publisht them withall to be incapable of Pardon. However He finds that if what they say were true, the ends of these Counsellors and of their violent Party is but just the same, that is, to dispose of these places, and that His Majesty may onely carry the Name.

But they have found a Letter of His Majesties to the Queen, which shews that the great and eminent Places of the Kingdom are disposed of by her advice, (and then conclude from her Religion, that they are by Consequence disposed of by the Advice of Papists and Jesuits) and that the Persons there named, even during the sitting of Parliament, are either all impeacht by them, or bear

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Arms against them. To this His Majesty replyes; First, That He cannot but deplore the Condition of the Kingdom, when Letters of all Sorts of Husbands to Wives, even of His Majesty to His Royall Consort are intercepted, read, brought in Evidence, and publisht to the world. Secondly, That if they will remember how farre many of those Persons of both Sexes, who have received most notable marks of favour from her Majesty, are, even in their own Opinion, from so much as inclining to Popery, they must confesse her favours and Recommendations not to be disposed of by Priests and Jesuits. Thirdly, That the Places there named in which her Majesties Advice may seem to be desired, are not places (as they call it) of the Kingdom, but private meniall Places, a Treasurer of the Houshold, a Captain of the Pensioners, and a Gentleman of the Bed-chamber; That concerning the other more publike Places, His Majesty absolutely declares Himself, without leaving Room for her Advice, which seems to prove the contrary to that, which by this they intend to prove. Fourthly, That of the Persons there named, there is not one that either is a Papist, or so like one, that a Jesuite may be thought to have recommended him, nor any one (except the Lord Digby) that was either impeacht, or otherwise tax't, or that could appear to His Majesty to have ever been in any degree dislik't by both or either House, before assisting His Majesty against a Rebellion did lately become Treason; and whoever considers the Time and other Circumstances even of that impeachment, and that their Eyes were then so dazeled with fears and Jealousies as to take a Coach and six Horses for an Army raised against them, will hardly look upon that impeachment with that Reverence which hath usually been paid to Accusations of that kinde: And for their bearing of Arms in such a Time, wherein all His

Majesties Subjects doe either bear or assist Arms either for or against Him, He supposes that it will not be thought strange, if He chuse Persons for such Places as are in his own Disposall, rather out of the first sort then out of the Second.

And as His Majesty hath fully answered their Observations upon His Letters, so He beleeves that one thing more (though unobserved by this Declaration) cannot but be observed out of them by His People; and that is, That in His Majesties most private Letters, to the Person neerest to Him, wherein He cannot (as by some in his publike Declarations He is) be suspected to say any thing out of Design or Policy, His own cleer perswasion that the Rebells, and not He, have been the Cause and are the Fosterers of this Warre and universall Distraction; and His Sense of it, and his Desire of the end of it, are so plainly exprest, that they will by this Accident be much satisfied with His Majesties Innocence and Reality, and beleeve that the reading this in such a Letter, is the very next Degree to reading it in His Heart.

Their fifth and last Argument is, The Attempts of Force and violence against the Kingdom and this Parliament, and they instance in four. The first is, a Designe, many yeers since, to bring into this Kingdom the German Horse, to compell the Subjects to submit to an Arbitrary Government. And to this His Majesty replies, That He esteems his Condition more miserable then that of any of his Subjects, when He sees a few factious Persons have obtained that Power, as to be able to publish to all His People, in the name of both Houses, a Charge, which (coming forth with the semblance of such Authority) may much worke with them against Him, and yet doe not (which is certainly because they cannot) tell any one Proof or particular, either Whence, Whether, When, by Whom,

whom, or by whose Designe these Horse should have been brought. They confesse it is many yeers since, and it seems it is so many, that these particulars are all worn out of the memory of man.

The second is, the endeavour to bring up the Northern Army by force and violence to awe the Parliament. To this His Majesty hath so often answered, and received so little Reply, that He will onely now briefly say, That according to the Evidence they have publisht themselves, (and that before hearing the Persons concerned in it, after so long a time of the Houses leisure and their Attendance, whose Answer, it was perhaps feared, would have cleered it more) it doth not appear that there was ever any Endevour used in it, nor any thing further then a meer motion, which dyed as soon as it was conceived; and it doth appear that His Majesty absolutely dislik't it as soon as by way of Discourse it was but named to Him: But if it had been really endeavoured, it had been but an Endeavour towards that which was directly put in Execution by the Tumults, and Those countenanc't by the Refusall of the House of Commons not onely to punish them, but so much as to joyn with the Lords in a Declaration against the like for the future, and by the stopping the legall Proceedings against Riots by a single Order of the House.

The Third is, His Majesties coming in Person to the House of Commons with many armed men to demand their Members to be delivered up. His Majesty confesseth He came, He denies that (to His knowledge) He came accompanyed with any men otherwise Armed, then with His Guard and Pensioners, in the same manner as He usually came to the House of Lords, and with some Gentlemen (as His Train when He goes to any publike Place is always so waited on) with their usuall weapons, their

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Swords. And if they had been as carefull to publish what persons of Quality (as Sergeant Major Ashly for one) testified upon their knowledge and Oath, as what mean, unknown, and unsworn persons delivered upon their bare Credit, or upon hearesay, it would have appeared to His People how little violence was intended by any who came with Him however Armed; and what Care He took, and what Orders He gave to be sure to prevent any that possibly might have hapned. His Majesty likewise confesses, That He demanded the Members He had accused of high Treason; but puts them withall in minde, that the House of Commons had hardly left Him any other Course, having by their single Order, the night before, intercepted all ordinary proceedings of Justice against them, forbidding all Officers to attach any Member for any Crime without the consent of the House, and encouraging the People in that Case to assist them against any Officer; though their Priviledges had been confessed by a late Petition of both Houses not to extend to Treason; and though this Order were as illegall and unjustifiable, as not onely by His Majesties coming to the house, but even as any thing they would have had the People believe that He intended when He came. But whatever Breach of Priviledge there was in this, His Majesty did not offer to justifie it by their preceding breach of Law, but offered them often Reparation and satisfaction for it; but it seems nothing but the Ships, Forts, Ports, Magazine and Militia of the whole Kingdom would appear to them a Reparation, for a single, and (this Circumstance considered) perhaps a disputable Breach of Priviledge.

The fourth is the Treason of the Earl of Strafford, to bring over the Irish Popish Army to conquer the Kingdom. To this His Majesty replyes, That what ever the Earl of Strafford could have said (for this Army He is sure was

was never brought, nor, that He ever heard, was ever endeavoured to be brought over, either to that or any other purpose) His Majesty cannot see why it might not have remained buried with him, or why any other satisfaction should be given for it, or other security against the like, then the punishment He hath already undergone.

Having given what Reasons they can to justifie their limitations of His Majesties Propositions, This Declaration in the next place attempts to satisfie that Reason insisted on by His Majesty, That it is His Right by Law, (to which they should have added, and contrary to Law forced from Him) and not being able to deny that, and yet being willing to deny something, they quarrell at the phrase, and deny that this power of disposing these Commands is by Law Absolutely vested in His Majesty, and that because He is trusted with them for the Defence and Safety of the Kingdom. His Majesty still justifies what He said Himself, and yet confesses all they say too, but onely denies the Consequence; for no man is absolutely vested in any thing, if being trusted with it to some end hinder Him from being so. The House of Commons is trusted with a Preparatory, the House of Lords is trusted with a Judicatory, the King, Lords and Commons are trusted with a Legislative Power, and all these have those Trusts vested in them for the publike good; and are not yet all these Trusts absolute, that is, subject to the Controll of no other Power? Is no man absolutely vested in his Goods, because all We have We are trusted with for the glory of God? His Majesty meant onely that this was so absolutely vested in Him by Law, as nothing but a new Law, could without Breach of Law, take or hold it from Him.

But the Declaration is content to admit that too, onely denyes it to be a Reason why his Majesty should deny to alter that Law, when by Circumstance of Time & Affairs,

that Power becomes destructive to the Common-wealth, and safety of the People, the Preservation whereof is the chief end of the Law. And His Majesty is equally ready to confesse that it is no Reason, but doth absolutely deny that this is the Case, (insisting that the Circumstances of time and Affairs hath made this power more necessary then ever to remain in His Majesty for the Protection and safety of His People) and He claims Himself to be as absolutely trusted by Law with the finall Judgement, whether it be the Case or no, and with a Power of rejecting any such Alteration upon any such Pretence, if it appear but a Pretence to Him, as either House is trusted to propose any such Alteration to the other, or both to Him, if it appear to them necessary and convenient.

But sayes this Declaration, The two Houses of Parliament being the representative Body of the Kingdom, are the most competent Judges thereof; and sayes His Majesty, The representative Body of the Kingdom is indeed, and that is the King, Lords and Commons; else either the Head is no part of the Body, or at least will be no longer then the Body please. Indeed the two Houses in some sense represent the Kingdom, in any action which the Law (which is the Rule of the Kingdom) hath entrusted and enabled them to do; but either one House or His Majesty doe equally represent it in any thing, which the same Law hath entrusted and enabled Him or them to doe; and for those Actions in which the Law requires the Consent of all three, every one is to be allowed their own severall distinct judgement, for themselves onely, and any one without the other two have as much Right as any two, without the Third, to represent the Kingdom, and to be competent Judges of the Case. And His Majesty cannot but take notice how much reason He had not to yeeld to this Demand, since the grant of this Demand

would

would be received as an Admission of this Case, and it would Logically enough follow, That if His People cannot be safe and He retain this Power, He doth not deserve to retain any; and if their Demands were granted, and the Armies upon their Demands Disbanded, this consequence in all Probability would soon be both perceived and prest.

But His Majesty may without Prejudice admit both Houses to be the most competent Judges in this particular, and then put them in minde, that before so many things had been done by the violent Party to turn the Tyde of Fears and Jealousies, before they had involved the King and Subject in a common Suffering, and equally destroyed all the Property of the one, and Prerogatives of the other, by Orders and Ordinances, and so there then appeared lesse necessity that this Power should remain in the Crown, either for the Preservation of it self or of the People, and little danger appeared to the People if this Power were thus shared. The House of Lords did then twice deliver their Judgement, That this Power in His Majesty was not become destructive to the Common-wealth and safety of His People, nor the Alteration of this Law necessary, by twice denying to joyn with the Commons in their desire, That part (for the Ships & the Time were not then named) of this Power might be shared, and of this Law altered; by which deny all the Commons were forced to Petition for it by themselves. Nor did they onely deny it, but both times, in full Houses, after long and free debates, it was carried upon the Question by above Twenty voices, and that at a Time when all the Papist Lords had left the Town, and hardly any Bishops were left uncommitted (Twelve being at once clapt up upon an Accusation of Treason, which they themselves have since bin ashamed of enough

to waive) who were then the persons usually represented to the People to be the evill Counsellors of the Lords House, and to whose prevalence it was imputed in the first Remonstrance of the House of Commons, that their good and necessary motions did not passe in that House. And as they denyed it twice, so they would have denyed it till now, if the Petition of many Thousand poor People about London, (who certainly did not then believe the Lords to be competent Judges) and the demand of the House of Commons joyn'd to it, to be told the names of those Lords who denyed it, and the direct Threats of so many Petitioners (to which the former Tumults gave sufficient Credit, that they would be really executed upon them) had not made many of the Lords to be of his minde who would not dispute with him who commanded thirty Legions, and give way to the potent Minor part to appear the Major, by absenting themselves and suffering them to passe what they pleased. So that neither the Votes which then past to desire these Particulars, nor the Execution of these Votes, and seising these Particulars, with a violence yet greater then obtained the Votes, nor the multitude of Consequences of the same kinde built upon that foundation, can at all be said to have had the Authority of both Houses, though most of those Actions have been such, as the Authority even of both Houses, how full and free soever, would not be sufficient to justifie. And this opinion of the Necessity of altering the Law in these Points, was even then at most but the Opinion of the House of Commons, awed by a few Members assisted by the Common People, and together with them awing the Lords.

They next pretend heartily to wish, that the Laws and Statutes of the Kingdom, may be the Rule of what is or what is not to be done; but how little fruit hath been gathered

gathered from this Tree, they say let the experience of the last Eighteen yeers judge. To this His Majesty replies, That it is true in some sense, they are willing these Laws should be His Rule, that is; that He go no further (though they will by no means allow Him to goe neer so far) but almost all their Actions, and most of their Demands, and particularly these, doe sufficiently shew, that they will not admit of these Laws and Statutes to be any Rule to them. And how much better fruit they have grafted then they found growing, and whether they have not made use of the Cure and Remedy of Grievances, a Parliament, to impose more of all kinde of Grievances upon the People in Eighteen moneths, then can be objected to His Majesty or Ministers upon the Breach and in the intermission of Parliaments during those Eighteen yeers, let experience be Judge. And it cannot but appear strange to His Majesty (if any thing could still appear strange to him) That the illegalities under which His Subjects suffered by some of His Ministers, in some part of His Reign, should be now, and by them, laid as a Charge upon Him, when not onely the People have suffered farre greater illegalities and Pressures, upon the same, if not lesse pretences, by those who charge Him with them; but when He hath by His acknowledgements, by His ample satisfactions, by the submitting the Offendors to punishment how great or neer soever to Him, and by His many and solemn Protestations, given security to His People that they shall never suffer the like under Him: And when they on the other side as good as professe to the People, That they think themselves obliged to maintain (and consequently are likely to continue) what they have done, because they have done it, and that their Actions shall not be retracted, lest some reflection or dishonour fall upon both Houses, and lest they may seem to pronounce a sen-

tence of Injuſtice and Rashneſſe againſt themſelves; this being one of the Reaſons given by them, why they cannot re-admit the Members they have expelled. And His Majeſty is confident, that His People, when they ſhall conſider both His Miniſters Actions and Theirs, and after compare His Ingenuity with their Principles, will eaſily conceive under whoſe Government they are moſt likely to return to the known Rule of the Law, and to finde that eaſe, and to be continued in thoſe Rights in and to which they were born, and of the exorbitance of whoſe Power they have moſt Reaſon to have any Fears and Jealouſies, and againſt whom they have moſt reaſon to deſire to be ſecured that they ſhall enjoy their Rights.

Nor doe they with more Colour oppoſe his Majeſties Limitations and Conditions then they defend their own. They object againſt his Majeſties Demand or Limitation of being ſatisfied in His firſt Propoſition, That if His Ships, Forts, &c. were to be delivered before Disbanding, it muſt after be left to the Pleaſure of the Papiſts, and other evill Counſellors about His Majeſty, whether they would Disband or not. But His Majeſty replies, That He made not His Limitation in theſe Terms, As ſoon as His firſt Propoſition ſhould be wholly granted to Him, But as ſoon as He ſhould be ſatisfied in His firſt Propoſition; which left room enough upon debate to have agreed either upon the time of Delivery, or upon ſufficient Caution, that after the Delivery the Disbanding ſhould unavoidably follow. Nor can His Majeſty look upon this objection otherwiſe then as a jeaſt, ſince if after the performance of part of the Conditions He had refuſed to perform the reſt, He is perſwaded that ſo open a Breach of Faith would have given them a farre greater ſtrength then they had parted with in the Ships and Forts, and have raiſed againſt Him a farre greater Army

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then He should have refused to Disband. They object against his demand of the restitution of Members, That in His Demand no distinction is made of Persons or Offences, when the reason thereof is, that really no distinction can be made, they being all equally innocent, & all equally injuriously expelled, not onely for committing no Crime, but for that Duty and Loyalty which deserves both approbation and reward. And if they could make any distinction in this Point, or any objection in any other, which might possibly have satisfied His Majesty, why did they not continue the Treaty, and there offer it to, and debate it with His Majesty, rather then break off the Treaty without giving any Answer to any part of His Majesties Message, and turn themselves wholly to the People, from whom no Return could possibly be made that might be in order to Peace?

They object against the Reason of this Demand (That these Members have been expelled onely for adhering to His Majesty;) That the same Reason may be used for the Judges who adhered to Him, by furnishing Him with great sums by illegall Judgements about Ship-money and Monopolies; and that He may as well require the Houses to repeale the Impeachments and Proceedings against them. To which His Majesty replies, That by never having appear'd at all in the Favour, Excuse or Extenuation of the fault of those Judges (who are to Answer for any unjust Judgement, in all which His Majesty left them wholly to their Consciences, and whensoever they offended against That, they wrong'd His Majesty no lesse then His People) and by his being yet so carefull of these Lords and Gentlemen, it may appear that His Majesty conceives, that those onely adhere to Him, who adhere to Him according to Law. And whether the remaining part of the Houses be not more apt to repeale

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their own Impeachments and Proceedings against those Judges (if they conceive they may be made of use, and brought to adhere to them) then His Majesty is to require they should, may appear by their requiring in their fourteen Propositions, That Sir John Bramston (impeacht by themselves of so great misdemeanors) may be made Chief Justice; and by their freeing and returning Justice Berkley (accused by themselves of High-Treason) to sit upon the Bench, rather then free and imploy Justice Mallet, who was not legally committed at first, but fetcht from the Bench to Prison by a Troop of Horse, and who after so many moneths Imprisonment remains not onely unimpeacht, but wholly without any knowledge of what Crime he is suspected.

They next object against the Persons in whose behalf the Demand is made. And to this His Majesty replies; That to shew how farre He was from having raised this Army, or from intending to imploy it to destroy this Parliament, or the Act for the Continuance thereof as is falsely and maliciously charged upon Him; To avoid the Objection made against Him, as if He onely pretended to desire to rule by Law, but would really be the onely Judge of Law Himself, and deny all Judgement to both Houses; To shew how willing He was that both Houses should be the Judges of what belong'd to them to judge, whensoever they might be in that full and free Condition in which it belonged to them to be; and to avoid the Destruction of the Kingdom, which would be occasioned by the Delay of Disbanding, if that were not ended before all the present Differences, His Majesty proposed this way of a full and free meeting in Parliament, and to referre those many Differences between Him and the remaining part of both Houses (on which He might with Justice have insisted, and which in themselves were necessary

ceſſary to be ſetled) till they might be ſetled in that meeting, and inſiſted for the preſent onely upon that which was neceſſary for the ſetling of ſuch a meeting. And in ſuch a Convention, if the Perſons now in queſtion ſhould upon Debate have appeared guilty of ſuch Crimes, wherewith this Declaration charges them, as to have deſerted the Houſe, (when intoleraole Tumults, and unjuſtifiable Votes drove them from it) to have diſobeyed and contemned the Authority of the Houſe, (for not having ſubmitted their Alleagiance to that Authority) to have neglected the Truſt repoſed in them, (for ſtaying no longer where they could not with freedom diſcharge it) and to have by Practices and Hoſtility endeboured to deſtroy both Parliament and People, (for having aſſiſted His Majeſty, and defended His Perſon againſt an Army raiſed and fighting againſt Him) His Majeſty would have been very well contented if the Houſes ſhould then judge ſo, that they ſhould have been finally expelled, and that the People might enjoy their Intereſt and Freedom of Choice and Election, when it ſhould have been juſtly devolved to them. But by their declining of this Courſe it is evident that they well know, in ſuch a full and free meeting, who would appear by moſt voices to be the Innocent and who the Guilty, who the Deſerters and who the Drivers, and that then and there they would as little be able to juſtifie their own Votes as to condemn theſe Perſons; and therefore having by force got ſole poſſeſſion of the Place, are wiſely reſolved to admit none to judge there of what is Law, but onely ſuch of the Major part of whoſe Judgements they are ſecure, as having been made Inſtruments to violate it.

To His Majeſties Demand of Security from ſuch Tumults as formerly awed the Houſes, They onely Anſwer; That what is ſaid of awing the Members is a high

and dangerous Aſperſion raiſed without doubt to invalide the Acts and Proceedings of Parliament; but to the known particulars urged by His Majeſty they are wholly ſilent, and neither deny ſuch tumultuous Aſſemblies to have been, nor the Lords to have twice in vain complained of them, and deſired the Houſe of Commons to joyn with them in a Declaration againſt them; nor can they deny but the Lords added this Reaſon, Leſt ſuch Aſſemblies might be derogatory from the good Acts made and to be made in this Parliament; all which Acts nevertheleſſe that Houſe undoubtedly did not intend to invalide, either by that Meſure or by that Reaſon. Nor can any man, that hath ſeen what Proteſtations His Majeſty hath taken (all which He doth now again renew) for the maintaining of the Laws conſented to by His Majeſty this Parliament, but ſufficiently free His Majeſty from the Aſperſion of having raiſed this to invalide thoſe. But if they mean, by their proceedings, the Votes, Orders, Ordinances and Declarations, wherewith they have almoſt daily oppreſt His Subjects, and defamed His Majeſty ſince thoſe Tumults; if they mean the Countenance they have given by perſonall Contributions, by Oathes, by Commiſſions of Generalſhip, and the like, to the preſent Rebellion raiſed againſt Him; He then confeſſeth, not that He raiſed this Aſperſion, but that He declared this Truth, as an Argument of the more evident Invalidity of their preſent proceedings, which thoſe Tumults (and Apprehenſions of the like, and of an Army now in the City to boot) rather then the Inclination of both Houſes, may appear to have produced. And this appears to be no leſſe their Opinion too, by their being ſo infinitely unwilling to ſuffer the Members to meet in ſo ſecure a manner, that they may be hindered by no Awe from declaring to all the World, whether they were awed before or no; and thence the

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world may Judge of these mens aversion from all Agreement, when in order to so blessed a thing as Peace, they refuse so just a demand as Security.

They next object against adjourning Twenty miles from London, and in the first place they object against it, That in making that a Condition of Disbanding to which by Law they are not bound to consent, His Majesty requires a new Law by Arms; in which they are wholly deceived, for His Majesty never made it a Condition: To have Security for Himself and both Houses from Tumults (which they cannot deny to have been, and against which notwithstanding they doe not offer any other kinde of Security) His Majesty did demand as a Condition, (and Security is undoubtedly His Majesties due by Law) but the Adjournment was onely expressed as that which His Majesty onely conceived to be the onely Security; not but if they could finde a better or but another way, His Majesty would as readily approve of it. But His Majesty appeales to the World, whether His Majesty ought to have done lesse for His Safety and that of the Members, and the freedom of their Votes, then to demand Security against Tumults; whether He could doe more for Peace, then to be ready to accept any sufficient Security that they should offer, and withall to be Industrious to finde out a fit means for that Security Himself, and to propose it in so large a manner to them, as to leave them to chuse their own Place out of all the rest of England; and whether on the other side, they could doe lesse toward either, then not to grant the Security, when they cannot deny the Danger, and not onely not to seek after and offer any one way that might secure, but so absolutely to refuse that reasonable way of Security which is offered to them; whether the Inconvenience of removing Records Twenty miles ought to be in any Ballance

with the Miseries of a Warre; whether the avoiding of this (but Tacite) Confession of that Truth, (which they call a Scandall, but can never prove one) that His Majesty was forced, for His safety, to withdraw from His Parliament, (of which the Army raised without His Consent, to bring in Triumph to the Houses Persons accused of high Treason by Him, were alone a sufficient Testimony) and that the Members were awed (when their names were sometimes demanded, and sometimes posted, their Persons laid hands on, and the tumultuous Multitude neither punisht nor discountenanc't, so much as by a Declaration;) whether the feare lest London (in which and by a part of which all this was done) should seeme to suffer under a Charge; And lastly, whether the Doubt lest in any Place out of London His Majesty should again come to the House of Commons with armed men, (upon what apparance of Right, after what Orders against His known Right, and with how little either Intention, Offer, or Colour of violence He came thither having been shewed before,) can appear a sufficient Reason for their Resolution against such an Adjournment, in Order to the publique Peace; And whether, although there were no Necessity of it but His Majesties desire, (who out of compliance with them hath put the absolute Power out of His own hands, not onely of Adjourning the Parliament whither, but of dissolving it when He pleased) it might not seem no unreasonable Request after so large a Grant?

Their last part is, to prove His Majesties Aversion to Peace by severall Circumstances. The first is, His having denyed to receive their Petitions; which His Majesty never did, for if they mean (which was all He ever did towards any Refusall) His refusing to receive any from or by any Person accused of high Treason by Him, (when they

they had other and more direct wayes of sending to Him, as they had then by the Earl of Essex, if they had not gone out of their way, out of desire to have it refused.) They may as well say He hath refused all that have ever since come to Him from them, for He continued alwayes to make that Exception: and if their hope of present and total victory had not made them insist upon that before Edge-hill, which they quitted after, the Petition, offered to have been sent from my Lord of Essex from the head of his Army, had been then received too by any other kinde of hand; though if His Majesty were rightly informed of the Contents of that Petition, neither their offer of such a Petition could shew any Inclination to Peace in them, nor could his absolute Refusall have shewed any Aversion to it in His Majesty.

The second is, That their Committee must not, without a speciall safe Conduct and Protection from Him, have Accesse to Him, a Liberty incident to them not onely as Members of the Parliament, and employed by both Houses, but as they were free-born Subjects. To this His Majesty replies, That He never denied their Committee to have accesse to Him without a safe Conduct; nor did He ever so much as mention any to them. The first Motion concerning a safe Conduct, was in a Letter from the Lord Grey of Wark Speaker pro tempore of the Lords House, to either of His Majesties Secretaries, dated the third of November, 1642. desiring one for that Committee, which after attended His Majesty at Colebrook; and the same was again desired for the Committee appointed to treat at Oxford, by a Letter from the Earl of Manchester Speaker of the same House to the Lord Falkland, dated the 28. of February. And must it not seem strange to all the World, that His Majesties granting of that which both Houses in order to the Trea-

ty askt of Him, should be after charg'd upon Him as a Provocation laid in the way to interrupt or break off the Treaty? And since undoubtedly (and that reasonably) it would have been interpreted Aversion in His Majesty from Peace, if He had denied this when it was askt; His Condition was very hard, when, it seems, He could not either way have avoided this imputation, whether he had denied or granted it. But his Majesty desires His Subjects to consider the great difference between what His Majesty hath cause to complain of, and what they doe. Mr. Alexander Hampden imployed by His Majesty with an Olive branch, a Message for Peace, directed to both Houses, inclosed in a Letter to the Speaker of the Lords House, having His Majesties Passe, testifying that he was so imployed, having delivered this Message to the Lords House, and that House having received it as a gracious Message, is committed by the House of Commons (notwithstanding the Liberty of Accesse, said to be incident to all Free-born Subjects) for not having a safe Conduct from their Generall, upon pretence of an Order of that House, but lately made, and never past the Lords, nor publisht by themselves; and notwithstanding that the Lords at a Conference desired the Messengers Release, upon the aforesaid Reasons, and that he was sent to them, and that their own Messengers had divers times of late gone to Oxford in the same manner, and none of His Majesties had come otherwise, yet the onely answer returned was, That they would stand to their own Order. Upon which His Majesty cannot but observe, First, that how great Authority soever both Houses expect to have with His Majesty, yet one House hath but a little with the other. Secondly, That the Priviledge of that House is as little considered as their intercession, since undoubtedly, if the Lords (who in many Cases have power to commit,

mit, which the House of Commons hath not ever more then their own Members, in any Case but of breach of Priviledge) had committed a Messenger sent to the House of Commons (especially from any to whose Messengers they paid half that respect which they owe to His Majesties) upon an Order onely of their own House, and having committed him without their Consents, should not release him at their desire, it would have been lookt upon by them as no lesse a Breach of Priviledge, then His Majesties coming to their House. Thirdly, That by this His Majesty hopes that the violent Party doth now see better times are not farre off, since He is told by this very Declaration, that evill Spirits doe then rage most, when they think they must be cast out.

The grounds of their Third and Fourth (for such as have been taken notice of by the bie, and replied to before, need not be repeated) are these. During the Treaty two Proclamations issued at Oxford against Associations, and raising of Forces and Taxes by vertue of Ordinances, in which his Majesty charges a Traiterous and Rebellious Army of Brownists, Anabaptists, and Atheists (but not both Houses, as, for want of being charged, they charge themselves) to endevour to take away His Life, and the Religion and Laws of the Kingdom. And some Letters were intercepted, by which, they say, it probably appears to them, that His Majesty had then designes upon Killingworth, Scarborough, and Bristoll. But His Majesty thinks it strange that it should be expected, That this Treaty should have so much influence on one side and so little on the other, that during the Treaty, Taxes may be illegally laid and levied, and His Majesty may not legally forbid them; That Souldiers of the Earl of Essex his Army may daily raile against Episcopacy, break into Churches, pull down Organs and Monuments, teare

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Surplices and Common-Prayer-Books, and His Majesty may not call them Brownists; That that Army may go on daily during the Treaty in overt Acts of Rebellion and Treason, and it must be an Interruption of the Treaty in His Majesty to call them Rebells and Traytors: That He may not say they endevour to take His life, who have shot at Him as often as He hath come within Cannon shot of them; And that the Treaty should not oblige them from taking any Town or Castle of His Majesties from Him, and yet His Majesty be obliged by it neither to regain any of His Towns, or receive any of His own Castles; That Sir William Waller may really take Malmesbury and Tewxbury, and His Majesty must not so much as think of Scarborough or Bristol; upon which City, as His Majesty doth avow to have had a Designe to recover it from the Rebells, so He absolutely denies it to have been either bloody or barbarous, Epithetes which they are pleased to give it, but for what reason He cannot imagine, His Majesty abhorring all thought of what is Printed at London, That it was intended Man, Woman, and Childe should have been all killed in that Town, that had not such a Word or Note not such a Ribband: Though some Word or Mark might well be agreed on, not with intention to Kill all that had it not, but that more particular care might be taken of their Protection that had it, not onely from all danger but from all disrespect. But the execution upon cold blood of some of the principall Citizens of that City for their Loyalty to His Majesty, upon a single Order, without the least Colour of any legall Proceedings, will appear to all men most barbarous and bloody, and such a Murther, as His Majesty must not leave unrevenged, nor can His Subjects look upon otherwise, then as purposely now committed to make Peace yet more impossible, and as an earnest of

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that intolerable Arbitrary Government, which they must always expect to suffer under, if that violent Party should prevaile.

Since therefore, notwithstanding these frivolous Objections, His Majesties Desire of Peace (by His earnestnesse for it both before, and during, and after the Treaty) doth so full appear, and since their inclination to the contrary (by their most earnest and utmost endeavours to hinder both the beginning, continuance and renewing of the Treaty) is no lesse evident; since in the Treaty His Majesties main aime was the immediat Disbanding of the Armies, and that Differences might be debated in a full and free Convention in Parliament, and that to that end the Parliament might be restored to the naturall and genuine Condition, and all things onely restored into that state wherein they were when the Houses were full and free; since His Majesty askt nothing that they could deny to be due to Him by Law, and His Majesty denied nothing that themselves could claim by Law to belong to them, nor any one thing of that publike necessity or value as deserves the shedding of one Drop of that Sea of Blood which will be spent in this unnaturall Quarrell; since His Majesty made the last most reasonable Proposition, and they will neither suffer it to be granted nor debated, and Three Messages of His Majesties cannot obtain one Answer, His Majesty hopes that the Scales will now fall from the eyes of His most blindly seduced Subjects, and they will now be able to discern both their Duty and their Interest by so cleer a Light; that it will be no longer in the power of this violent Party, to engage them to be Wicked that they may be Miserable, and by opposing Justice to destroy Peace. And His Majesty doth most earnestly conjure those whose

fault hath hitherto proceeded rather from want of Heat, then want of Light, who out of too much Care of their private safety have been either meerly lookers on, or have at once dislik't and countenanc't these Courses, that they at last rouse up their Courage to take part with their Conscience, and fear to be Damned more then to be Plundered; and consider that if they will desert and oppose that Party whom their Tamenesse onely makes considerable, and unite themselves with but half that Industry to defend His Majesty, and the Religion and Law establisht, which the others use to destroy them all, they may avoid the One and be in no danger of the Other, their numbers being such, that if they once but knew one another, by meerly joyning to appear to think as they doe, they might speedily end this (truly styled by them) the worst kinde of Warre, both as it is of English against English, and of Subjects against their Prince. But if they shall still suffer themselves to be carried away with the Stream, they will by that suffer the Power of the violent popular Party to take so deep a root (by being seized of all the Arms, Ships, and strong places of the Kingdom) that if they should happen to prevaile in this Warre against His Majesty, they will (in despight not onely of Them, but of their present Rulers, if they should be willing to divert them) extirpate the Law, Root and Branch, alter the whole frame of Government, introduce Democracy, Independance, and Parity, and leave neither King, Church, nor Gentleman: and (besides that they will then appear to themselves guilty of all this intolerable innovation, which they have not timely enough opposed) this party will then forget that they did not oppose them at all, and remember that they did assist them but a little, will distinguish between those who assisted them out of zeale

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and out of fear, and who are now called Moderate, they will then call Malignant, and the Inequality, Injustice, and Oppression they will then endure, will too late discover to them, to their Costs, That they have undone themselves with too much Discretion, and obtained nothing by their unjustifiable cautious Compliance but to be destroyed last.

FINIS.